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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,328	08/15/2001	Steven French	AUS920010290US1	1697

35525 7590 02/14/2011
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EXAMINER

POPHAM, JEFFREY D

ART UNIT	PAPER NUMBER
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2491

NOTIFICATION DATE	DELIVERY MODE
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02/14/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/930,328	Applicant(s) FRENCH ET AL.	
	Examiner JEFFREY D. POPHAM	Art Unit 2491	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 15-17,32-34 and 38-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14,18-31 and 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Remarks

Claims 1-40 are pending.

Claims 15-17, 32-34, and 38-40 are withdrawn from consideration.

Claims 1-14, 18-31, and 35-37 are rejected below.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 1/10/2011 has been entered.

Response to Arguments

2. Applicant's arguments filed 1/10/2011 have been fully considered but they are not persuasive.

Applicant argues that the generating limitation of claim 1 is not found in Liming and Hougaard. However, as outlined below, this limitation is found within the combination of Liming in view of Hougaard. It is noted that, although authorization is not explicitly referred to in the claim, in the interest of compact prosecution, the Examiner has incorporated such features of Hougaard into the

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location-based network system of Liming as this appears to be what Applicant is attempting to claim.

It is also noted that claims 35-37 remain in their original form and that this rejection was affirmed at the Board of Patent Appeals and Interferences.

Therefore, the rejection remains the same.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 35-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 35 is directed to "A computer program product in a computer readable medium...". However, this computer program product is solely instructions, as defined by the claim. Even if this computer program product included the medium, this medium would not make the claim statutory. It must be clear that the medium is non-transitory and/or that the medium cannot comprise a signal or the like. Page 114 of the specification provides examples of a medium at lines 16-20, such examples including transmission media.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14, 18-31, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liming (U.S. Patent Application Publication 2002/0055924) in view of Hougaard (U.S. Patent 6,216,130).

Regarding Claim 1,

Liming discloses a method for management of a distributed data processing system, the method comprising:

Determining a unique network hardware identifier for a network device (Paragraphs 13-17, 73-74, 99-100, and 156-159; MAC address, for example);

Associating the unique network hardware identifier with geographic location information (Paragraphs 13-17, 73-74, 99-100, and 156-159; associating the MAC address with location information, for example); and

Generating security settings that apply to the network device using the unique network hardware identifier and the geographic location information, wherein the security settings include access to the network device for users that are allowed to access the distributed data processing system at a geographic location in the geographic location information (Paragraphs 13-17, 49, 67, 73-77, 99-100, 110, 118-119, 121, 135, and 156-159; providing location-

based services to the user, such that the user can access such location-based services when the location of the service coincides with the location of the client. The cited portions show various location-based services, such as directing the user to local PoS terminals or stores, providing automatic operations of another device when the user comes within a certain range, providing information to the user that is relevant only to the current location, etc.);

Applying the security settings to the network device (Paragraphs 13-17, 49, 67, 73-77, 99-100, 110, 118-119, 121, 135, and 156-159).

Hougaard discloses generating security settings that apply to the network device using the unique network hardware identifier and the geographic location information, wherein the security settings include access to the network device for users that are allowed to access the distributed data processing system at a geographic location in the geographic location information, where such allowing is performed via authorization (Column 7, line 1 to Column 8, line 29; and Column 10, line 51 to Column 11, line 38; authorizing a user to perform certain actions and/or access certain data when within a particular geographical area, for example). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the geographic-based

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management system of Hougaard into the location-based network system of Liming in order to allow the system to organize geographic information located at remote sources in such a way that it is easily accessible and displayable to users, facilitate the exchange and distribution of geographic information to multiple users within an organization, and/or to allow an administrator to specify which users are authorized to access, modify, or delete geographic information through filters.

Regarding Claim 18,

Claim 18 is an apparatus claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 2,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses that the unique network hardware identifier is a MAC address (Paragraphs 156-159).

Regarding Claim 19,

Claim 19 is an apparatus claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 3,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses authorizing user access to the network device based on a user security parameter

corresponding to the geographic location information (Column 7, line 1 to Column 8, line 29).

Regarding Claim 20,

Claim 20 is an apparatus claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 4,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses generating a unique name for an endpoint resource on the network device, wherein the unique name comprises the geographic location information (Paragraphs 88-90; 107-110; and 160-165).

Regarding Claim 21,

Claim 21 is an apparatus claim that corresponds to method claim 4 and is rejected for the same reasons.

Regarding Claim 5,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Hougaard discloses associating the endpoint resource with security attributes for the endpoint resource (Column 7, line 1 to Column 8, line 29).

Regarding Claim 22,

Claim 22 is an apparatus claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 6,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses associating the unique name for the endpoint resource with the unique network hardware identifier (Paragraphs 88-90; 107-110; and 156-165).

Regarding Claim 23,

Claim 23 is an apparatus claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 7,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses determining a router closest to the endpoint resource (Paragraphs 95-101; and 152-159);

Retrieving router geographic location information associated with the router (Paragraphs 95-101; and 152-159; and

Using the router geographic information in the generated unique name for the endpoint resource (Paragraphs 95-101; and 152-159).

Regarding Claim 24,

Claim 24 is an apparatus claim that corresponds to method claim 7 and is rejected for the same reasons.

Regarding Claim 8,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses determining a network

address generator (NAG) for the endpoint resource (Paragraphs 52-55; and 165-167);

Retrieving NAG geographic location information associated with the NAG (Paragraphs 52-55; and 165-167); and

Using the NAG geographic location information in the generated unique name for the endpoint resource (Paragraphs 52-55; 95-101; 156-159; and 165-167).

Regarding Claim 25,

Claim 25 is an apparatus claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 9,

Liming as modified by Hougaard discloses the method of claim 8, in addition, Liming discloses that the network address generator is a sever operating in accordance with a DHCP protocol (Paragraphs 52-55; and 165-167).

Regarding Claim 26,

Claim 26 is an apparatus claim that corresponds to method claim 9 and is rejected for the same reasons.

Regarding Claim 10,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses detecting a change of location of the network device within the distributed data processing system based on the geographic location information (Paragraphs 91, 98-

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101, and 133); and Hougaard discloses detecting a change of location of the network device within the distributed data processing system based on the geographic location information (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 27,

Claim 27 is an apparatus claim that corresponds to method claim 10 and is rejected for the same reasons.

Regarding Claim 11,

Liming as modified by Hougaard discloses the method of claim 10, in addition, Liming discloses reconfiguring the network device based on the detected change of location of the network device (Paragraphs 91, 98-101, and 133); and Hougaard discloses reconfiguring the network device based on the detected change of location of the network device (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 28,

Claim 28 is an apparatus claim that corresponds to method claim 11 and is rejected for the same reasons.

Regarding Claim 12,

Liming as modified by Hougaard discloses the method of claim 10, in addition, Hougaard discloses reconfiguring user security parameters based on the detected change of location of

the network device (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 29,

Claim 29 is an apparatus claim that corresponds to method claim 12 and is rejected for the same reasons.

Regarding Claim 13,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses representing the distributed data processing system as a set of scopes, wherein a scope comprises a logical organization of network-related objects (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Associating each scope with a management customer, wherein each scope is uniquely assigned to a management customer, wherein each scope is uniquely associated with a set of configuration parameters for managing each scope (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Managing the distributed data processing system as a set of logical networks, wherein a logical network comprises a set of scopes, and wherein each logical network is uniquely assigned to a management customer (Column 5, line 32 to Column 6, line 19;

Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21); and

Allowing an administrative user to dynamically reconfigure logical networks within the distributed data processing system (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21).

Regarding Claim 30,

Claim 30 is an apparatus claim that corresponds to method claim 13 and is rejected for the same reasons.

Regarding Claim 14,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses dynamically discovering endpoints, systems, and networks within the distributed data processing system (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Correspondingly representing endpoints, systems, and networks within the distributed data processing system as a set of endpoint objects, system objects, and network objects (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21); and

Logically organizing the endpoint objects, system objects, and network objects within a set of scopes, wherein each endpoint

object, each system object, and each network object is uniquely assigned to a scope such that scopes do not logically overlap (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21).

Regarding Claim 31,

Claim 31 is an apparatus claim that corresponds to method claim 14 and is rejected for the same reasons.

Regarding Claim 35,

Liming discloses a computer program product in a computer readable medium for use in managing a distributed data processing system, the computer program product comprising:

Instructions for determining a unique network hardware identifier for a network device (Paragraphs 73-74, 99-100, and 156-159);

Instructions for associating the unique hardware identifier with geographic location information (Paragraphs 73-74, 99-100, and 156-159); and

Instructions for managing the network in accordance with the geographic location information (Paragraphs 156-162);

But does not explicitly disclose configuring the network device in accordance with the geographic location information through a network administrative user interface.

Hougaard, however, discloses configuring the network device in accordance with the geographic location information through a network administrative user interface (Column 5, line 32 to Column 6, line 19; and Column 7, lines 1-62). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the geographic-based management system of Hougaard into the location-based network system of Liming in order to allow the system to organize geographic information located at remote sources in such a way that it is easily accessible and displayable to users, facilitate the exchange and distribution of geographic information to multiple users within an organization, and/or to allow an administrator to specify which users are authorized to access, modify, or delete geographic information through filters.

Regarding Claim 36,

Liming as modified by Hougaard discloses the computer program product of claim 35, in addition, Liming discloses that the unique network hardware identifier is a MAC address (Paragraphs 156-159).

Regarding Claim 37,

Liming as modified by Hougaard discloses the computer program product of claim 35, in addition, Hougaard discloses instructions for authorizing user access to the network device

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based on a user security parameter corresponding to the geographic location information (Column 7, line 1 to Column 8, line 29).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY D. POPHAM whose telephone number is (571)272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ashok Patel can be reached on (571)272-3972. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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